

MINUTES
BOARD OF EXAMINERS
OF CONSTABLES
MEETING
MONDAY
OCTOBER 1, 2018
10:00 A.M.
TATNALL BUILDING
150 MARTIN L. KING, JR. BOULEVARD SOUTH
ROOM 112
DOVER, DE

I. Call to Order

Lt. Colonel Hudson called the meeting to order at 1030 hours. The meeting was recorded and the Professional Licensing Section will maintain the records.

Introductions were made around the table and room.

The following members of the Board of Examiners were in attendance:

Lieutenant Colonel Monroe B. Hudson, Jr. – Designated Representative
Captain Diane Smith
Chief Marvin Mailey
Mr. John F. Tharan

The following members of the Board of Examiners were absent:

Ralph K. Durstein, III, Esquire

The following staff members were in attendance:

Rae Mims, Esquire
Captain S. Benjamin Parsons – State Bureau of Identification
Lieutenant Charles A. Sawchenko – Professional Licensing Section
Ms. Peggy L. Anderson – Professional Licensing Section
Mr. Michael Terranova – DTCC Representative
Chief Robert Kracyla – DTCC Instructor
Lieutenant Kerry B. Reinbold

The following staff members were absent:

Sergeant Dana M. Berry – Professional Licensing

The following guests were in attendance:

Mr. Alan Ellingsworth
Mr. Jack Cunningham
Mr. Jason Peel
Mr. Lincoln Hohler
Mr. Vincent Jordan
Mr. David Wishowsky
Mr. Charles Woodard
Mr. Barry Jones
Mr. Tim Winstead
Mr. Walt Beaupre
Mr. Anthony Martin – in @ 1004

II. Review and Acceptance of Minutes

A. May 14, 2018

Mr. Tharan, with a second by Lt. Col. Hudson, made a motion to approve the minutes from 05/14/18, as presented. The motion was carried.

B. July 18, 2018

Lt. Col. Hudson made a change in the minutes to reflect the following:

VI. *Old Business*

C. *Lieutenant Colonel*

~~Lt. Colonel Hudson~~ Maj. Hudson *did not send any Old Business at this time.*

Mr. Tharan, with a second by Chief Mailey, made a motion to approve the minutes from 07/18/18, with the noted change. The motion was carried

III. New Commissions

Ms. Anderson requested that the Board approve the following New Commissions in various groups as some individuals are still in need of taking some courses/tests and the missing documentation will be listed under their name in the minutes. The Board agreed. Per the Board's prior request, all Constable Entities will be notified of any traffic charges as the constables will be driving their entity's vehicles.

A. Brandywine School District

1. Vincent J. Jordan, III

- Orientation Overview

Mr. Tharan, with a second by Lt. Col. Hudson, made a motion to approve A.1 for new Constable Commission – pending. The motion was carried.

Mr. Anthony Martin entered the meeting @ 1004

2. David E. Wishowsky

Lt. Col. Hudson, with a second by Mr. Tharan, made a motion to approve A.2, as presented, for new Constable Commission. The motion was carried.

B. Delaware Technical Community College

1. Henry S. Law
 - Orientation Overview
2. Richard A. Sutton, Sr.
 - Orientation Overview

Mr. Tharan, with a second by Chief Mailey, made a motion to approve B.1-2 for new Constable Commissions – pending. The motion was carried.

~~C. Indian River School District~~

- ~~1. Jay A. Porter~~

Ms. Anderson informed the Board that Indian River School District had rescinded their offer to Mr. Porter. No vote necessary.

D. RI International

1. Garrick G. Cornish
2. James T. Pee
4. Christopher K. Tjaden

Lt. Col. Hudson, with a second by Chief Mailey, made a motion to approve D.1-2 & 4, as presented, for new Constable Commissions. The motion was carried.

3. Jay A. Porter
 - Orientation Overview

Lt. Col. Hudson requested that D.3 be deferred to the end of the meeting to go into Executive Session so the guests did not have to leave and then return, as a matter of convenience and less disruption to the meeting.

E. Wesley College Inc.

1. Michael J. VanValkenburg

Chief Mailey, with a second by Mr. Tharan, made a motion to approve E.1, as presented, for new Constable Commission. The motion was carried.

- F. Wilmington University
Department of Safety
1. Mark W. Babinger
 - Orientation Overview
 3. Craig P. Thomas
 - Orientation Overview

Mr. Tharan, with a second by Chief Mailey, made a motion to approve F.1 & 3 for new Constable Commissions – pending. The motion was carried.

2. Courtney J. Hutt

Capt. Smith, with a second by Mr. Tharan, made a motion to approve F.2, as presented, for new Constable Commission. The motion was carried.

IV. New Entities

A. Milford School District – *Exhibit A*

Mr. Jason Peel spoke regarding the reasons for the constable request. They will maintain the SRO's through Milford PD but wish to add two constables at this time. There are six schools in the district and one of them is out of the Milford City limits.

After discussion, Mr. Tharan, with a second by Chief Mailey, made a motion to approve Milford School District for Constable Positions. The motion was carried.

1. Donald Christie, Jr.

Chief Mailey, with a second by Mr. Tharan, made a motion to approve A.1, as presented, for new Constable Commission. The motion was carried.

- ***2. James W. Gooch, Jr.***
- Orientation Overview

Mr. Tharan, with a second by Chief Mailey, made a motion to approve A.2 for new Constable Commission – pending. The motion was carried.

V. Terminations/Resignations

A. ***A.I. DuPont Hospital for Children***

1. James J. DiOrio
2. Mark D. Perloff

B. Capital School District

1. Anthony C. Roper

C. Delaware Technical Community College

1. Donald Christie, Jr.
2. Daniel H. Horsey, Jr.
3. Joseph S. Myers
4. Michael J. VanValkenburg
- ***5. David E. Wishowsky***

D. RI International

1. Matthew G. Harmon
2. Courtney J. Hutt
3. Bruce M. Mullen
4. David L. Wilkes
5. Michelle E. Williams

Ms. Anderson informed the Board that A – D, inclusive, is for informational purposes only.
No vote necessary.

VI. Issues/Concerns/Pending/FYI

A. Capital School District

1. Daniel Duke
 - DATE Retirement Date – 08/17/18
 - Orientation Overview – 07/25/18
2. Jeffrey B. Matthews
 - Orientation Overview – 07/24/18
3. Gerald R. Perry
 - Orientation Overview – 07/24/18
4. Phillip J. Pitt
 - Letters of Reference – 07/26/18
 - Orientation Overview – 08/01/18
5. Alan W. Rembold
 - Orientation Overview – 07/24/18
6. William R. Russell
 - Proof of Experience – 07/24/18
 - Orientation Overview – 07/20/18
7. David W. Taulbee
 - Orientation Overview – 07/24/18
8. Joshua P. Worrell
 - Orientation Overview – 07/24/18

- B. Christiana Care Health System
 - 1. Richard C. Blasch
 - Orientation Overview – 07/19/18
 - 2. Anthony J. Martin
 - Proof of Experience – 07/23/18
 - MMPI/PAI – 08/14/18
 - Orientation Overview – 07/19/18
 - 3. Christian D. Stamm
 - Hire Letter – 7//16/18
 - In-Service by 09/30/18
- C. Colonial School District
 - 1. Zorada S. McFadden
 - Exam – 08/09/18
 - 2. Jamie C. Rogers
 - Retirement from NC City – 07/30/18
- D. Red Clay Consolidated School District
 - 1. John G. Selvaggi
 - Exam – 08/09/18
- E. RI International
 - 1. Courtney J. Hutt
 - Hire Letter – 07/19/18
 - MMPI/PAI – 06/06/18 – received 07/20/18
- F. Wesley College Inc.
 - 1. Erika L. Hodges-Baines
 - Proof of Experience – 09/06/18
 - 2. Lloyd L. Stafford
 - Final Dispositions on Charges – 06/29/18

Ms. Anderson informed the Board that A - F, inclusive, is for informational purposes only. No vote necessary. These were individuals previously approved at various meetings – pending – and have submitted/completed all required documentation and their commissions have been issued.

VII. Rule 4.0 – Badges & Vehicle Markings

A. Brandywine School District – *Exhibit B*

1. Badge
2. Letterhead
3. Business Card

Lt. Col. Hudson, with a second by Mr. Tharan, made a motion to approve A.1-3, as presented, for Brandywine School District. The motion was carried.

B. Capital School District – *Exhibit C*

1. Vehicle Markings

Chief Mailey, with a second by Lt. Col. Hudson, made a motion to approve B.1, as presented, for Capital School District. The motion was carried.

C. Milford School District – *Exhibit D*

1. Badge

Lt. Col. Hudson, with a second by Mr. Tharan, made a motion to approve C.1, as presented, for Milford School District. The motion was carried.

D. P.T.S Constable Agency – *Exhibit E*

1. Badge

Lt. Col. Hudson, with a second by Chief Mailey, made a motion to approve D.1, as presented, for P.T.S. Constable Agency. The motion was carried.

E. Sussex Academy of Arts & Sciences, Inc. – *Exhibit F*

1. Badge

Mr. Tharan, with a second by Chief Mailey, made a motion to approve E.1, as presented, for Sussex Academy of Arts & Sciences, Inc. The motion was carried.

F. Wesley College Inc. – *Exhibit G*

1. Vehicle Markings

Chief Mailey, with a second by Lt. Col. Hudson, made a motion to approve F.1, as presented, for Wesley College Inc. The motion was carried.

VIII. Rules & Regulations

A. Rule 1.0 Licensing – *Exhibit H*

Lt. Reinbold explained to the Board the need for Rule 1.13 in that it would allow those individuals, already approved and working for an entity, to leave one entity and go directly to another entity and/or seek employment with a second constable entity. It will also eliminate the

wait for them to be approved at the next Board meeting, which can take up to several months sometimes.

During the discussion, it was determined that the proposed Rule 1.13 should be merged with the current Rule 1.9 and should read as follows:

1.9 If an applicant wishes to work for more than one agency, they must submit an application, ~~and be approved by the Board for each agency.~~ All other requirements do not need to be submitted as they are already on file in the Professional Licensing Section. Any commissioned constable currently employed with an approved entity may, with the approval of the Director, be commissioned to work with any other approved entity for the purpose of new or secondary employment as a constable. The constable will be allowed to work for the new entity upon such approval and receiving their new commission and identification card. Any approval must be affirmed and voted on by the Board at the next scheduled meeting.

Mr. Tharan, with a second by Lt. Col. Hudson, made a motion to approve the amendment to Rule 1.0, specifically 1.9 as amended, for first publication. The motion was carried.

IX. Academy/In-Service
A. In-Service

Mr. Terranova informed the Board that the In-Service has been up and running since early September and will continue thru December 3, 2018. It takes about four hours to complete, with a test at the end. There are 70-some registered for it so far.

As there had been requests for a second Constable Academy, which needs to have 12 committed to attend for it to be feasible to run, there are only six individuals in need of the academy as of now: two from A.I. DuPont and four from CCHS. Ms. Anderson will continue to track anymore interest in this and relay this information to Mr. Terranova.

X. Old Business
A. Professional Licensing
1. MMPI/PAI – *Exhibit I*

Ms. Anderson refreshed the Board it had been determined that only proof of the MMPI/PAI should be provided to the Professional Licensing Section, and requested that a form be created for the Administering Physician to complete and returned to this office.

During this discussion, it was requested that Professional Licensing create a Constable Job Description for those Administering Physicians to use as a guide with completing the psych evaluation. This will be done with the entity heads during their annual meeting for any updates they wish to present to the Board. This is to be presented to the Board for approval at the Annual Meeting in December.

During discussion, it was determined that “Evaluator” should replace “Physician” since the individuals performing the evaluation are not physicians.

After discussion, Mr. Tharan, with a second by Lt. Col. Hudson, made a motion to approve the MMPI/PAI Proof of Evaluation form, with the noted changes. The motion was carried.

2. Notary, Oath of Office & Recorder of Deeds

Ms. Anderson informed the Board that the entities were returning a copy of the back page of the commission with the proof that they were notarized and had been recorded at the Recorder of Deeds in their respective County. This has proven to be a fairly good process.

After discussion, the Board requested that an in-office SOP be created and presented to them at the December meeting.

3. Rule 7.0 Conducted Electrical Weapon (CEW)
a. Weapons & Force Committee

Ms. Anderson informed the Board that the Bail Enforcement Agent Board had requested that this committee be re-convened also, with some additions to discuss their issues and to invite other individuals. This is in the making and will be updated at the December meeting.

B. Board Members

The Board members did not have any Old Business at this time.

C. Lieutenant Colonel

Lt. Col. Hudson did not have any Old Business at this time.

XI. New Business

A. Professional Licensing

Professional Licensing did not have any New Business at this time.

B. Board Members

The Board members did not have any New Business at this time.

C. Lieutenant Colonel

Lt. Col. Hudson did not have any new Business at this time.

X. Public Comment (At the discretion of the Chair)

Mr. Hohler thanked everyone for holding this extra meeting to get new individuals in place during the early part of the school year.

Mr. Terranova wanted to thank Lt. Reinbold for everything he has done with the training for the Constable and BEA's during his three years of service in Professional Licensing. Lt. Reinbold has been transferred to Troop 3 and is here today to assist Lt. Sawchenko, the new Director of Professional Licensing.

Lt. Col. Hudson also thanked Lt. Reinbold and welcomed Lt. Sawchenko to the Board and Professional Licensing Section.

Lt. Col. Hudson, with a second by Mr. Tharan, made a motion to move into Executive Session. The motion was carried @ 1031. All guests departed at this time and the Executive Session began.

Chief Mailey, with a second by Mr. Tharan, made a motion to exit the Executive Session. The motion was carried @ 1054. No guests returned.

III. New Commissions

D. RI International

3. Jay A. Porter

- Orientation Overview

Lt. Col. Hudson, with a second by Mr. Tharan, made a motion to request that Mr. Porter undergo the MMPI/PAI evaluation, with the proof of this being provided to the Professional Licensing Section. The motion was carried. Lt. Col. Hudson abstained.

XI. Adjournment

A. Next Annual Meeting

1. December 2018 @ 10:00am

Mr. Tharan, with a second by Lt. Col. Hudson, made a motion to adjourn the meeting at 1056 hours. The motion was carried.